

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD JUNE 19, 2018**

Fresno Irrigation District's Board of Directors met in regular session at the District office located at 2907 South Maple Avenue – Fresno, California, on Tuesday, June 19, 2018. Board President Ryan Jacobsen called the meeting to order at 4:10 p.m. (following the BOE Board meeting).

DIRECTORS PRESENT

President Ryan Jacobsen
Vice President Jerry Prieto, Jr.
Director George Porter
Director Gregory Beberian
Director Chris Woolf

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager Gary R. Serrato
Assistant General Manager Bill Stretch
Chief Engineer Laurence Kimura
Operations Manager Adam Claes
Watermaster Jim Irwin
Construction/Maintenance Superintendent Mike Prestridge
Controller DeAnn Hailey
Human Resource Director September Singh
Legal Counsel Jeff Boswell
Staff Engineer Felix Vaquilar
Staff Engineer Sen Saetern
Staff Engineer Nick Zaninovich
Staff Account Clerk Scott Meyer
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

Independent Reporter Don Wright
Senator Andy Vidak's Representative Cody Sedano

PLEDGE OF ALLEGIANCE

Performed during the Board of Equalization meeting.

REVIEW AGENDA

President Jacobsen stated Closed Session could be moved to approximately 6:00 p.m.

REVIEW OF FUTURE MEETINGS

President Jacobsen stated the next meeting is scheduled for July 17, 2018.

PUBLIC PRESENTATIONS

None.

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POTENTIAL CONFLICTS OF INTEREST

(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.) [FPPC §87105]

None stated.

CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – May 15, 2018**
- b. **Approval of Personnel Committee Meeting Minutes – June 1, 2018**
- c. **Approval of Personnel Committee Meeting Minutes – June 8, 2018**
- d. **May 2018 Check Reports**
- e. **May 2018 Payroll Registers**
- f. **May 2018 Unpaid Assessment Report**
- g. **May 2018 Investment Account**
- h. **Developer Pipeline Project – Beal Developments LLC (Tract 5789A) and David Hailpern (Tract 6125) will Relocate and Replace the Existing Helm Colonial S. Br. No. 116, Located Southwest of Sierra and Peach Avenues, with Approximately 600 Feet of 24-Inch Diameter ASTM C-361 RGRCP in Accordance with Board Policy. Engineering Action Request 2018-07**
- i. **Agency Project – The City of Clovis will be Constructing a New Crossing Across the Enterprise No. 109 to Extend Owens Mountain Boulevard West to Temperance Avenue. Engineering Action Request 2018-08**

M/S/C (Porter/Prieto) That the Board of Directors approved the Consent Calendar items 6. a.-i. by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

CONTROLLER'S REPORT

- a. **Discussion / Possible Action on April to May 2018 Fund Statements and Supporting Documents**

Ms. Hailey presented the April and May 2018 Fund Statements. Ms. Hailey reported the General Fund is at 41% of budget.

M/S/C (Prieto/Beberian) That the Board of Directors approved the April and May 2018 Fund Statements and Supporting Documents as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

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b. Discussion / Possible Action of Resolution 2018-08: Line of Credit, Reimbursement

Ms. Hailey explained this resolution allows the District to reimburse itself for construction costs within 60 days of funding the line of credit.

M/S/C (Porter/Woolf) That the Board of Directors approved Resolution 2018-08 line of credit terms for the Central Basin project as presented by Staff by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

WATERMASTER’S REPORT

a. Current Water Conditions Report

Mr. Irwin reported on the current water supply information. As of June 18, Pine Flat release was 5,901 cfs with storage at 796,484 acre-feet. FID storage was 138,053 acre-feet. Pre-Project for the Kings River was 2,126 cfs – FID entitlement was 1,266 cfs. President Jacobsen noted the runoff was higher in April than May. This is only the fifth time since 1895 that April’s runoff has been larger than May’s for the Kings River watershed.

Mr. Claes reviewed the routing information for the remainder of the 2018 Irrigation Season.

b. Consolidated Irrigation District / Fresno Irrigation District Water Transfer Agreement Update

Mr. Serrato stated at the last meeting that Staff would provide to the Board the executed copy of the MOU between Fresno Irrigation District and Consolidated Irrigation District. The MOU was developed because of FID exceeding its storage capacity in Pine Flat Dam.

c. Discussion / Possible Action on Sale / Transfer / Exchange of Water

Mr. Serrato stated this item would now be listed as a routine agenda item. No current action.

CHIEF ENGINEER’S REPORT

Chief Engineer Laurence Kimura reported on the following:

a. Developer Projects Update 2017-18

- Staff reviewed projects for the 2017-18 Maintenance Season
- Three projects in progress
- Eight projects under review
- Commented on 39 developer review notices and ten utility search requests

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b. Agency Projects Update 2017-18

- Staff worked on projects under construction and reviewed projects for the 2017-18 Maintenance Season
- Two projects in progress
- Five projects under review

i. High Speed Rail (HSR)

- HSR and FID executed an encroachment agreement for the viaduct structure across FID's property (Fresno Colony)
- Fresno Colony Canal is nearly complete with the installation of steel grate covers/catwalks remaining
- TPZP has started crossing FID's Fresno Colony Canal northward as well as the crossover of State Route 99

Mr. Serrato stated FID Staff has done a superb job of tracking the HSR progress and spent a number of hours working with the California HSR staff.

c. Landowner Initiated Projects Update for 2017-18

- No projects in progress
- No projects under review for the 2017-18 Maintenance Season

d. Other Activities

- Groundwater levels were measured as part of the banking facility's monitoring plan
- Plans are being drawn up for future maintenance projects
- Staff is assisting or working on three FID maintenance/construction projects (none currently in progress)
- Staff has been very busy locating pipelines and rights-of-ways for crop conversions
- Over the last month, ten construction, structure, or water permits were issued and monitored

Project(s)

- Big Dry Creek (N/E Ashlan and Highway 168) three flow measurements were taken

e. Discussion / Possible Action on Capital Improvement Projects – 2018/19. Engineering Action Request 2018-06

Mr. Kimura reviewed the Capital Improvement projects (Engineering Action Request 2018-06) totaling \$2.37 million for 2018/2019. Pipeline replacement, concrete liners, and measurement improvements are included for the 2018/2019 Maintenance Season.

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Staff developed two project lists (dependent on whether the Enterprise Canal goes off in November). Staff will review with the Board any future changes that may be needed.

M/S/C (Porter/Prieto) That the Board of Directors approved Engineering Action Request 2018-06 as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

ASSISTANT GENERAL MANAGER’S REPORT

Operations Manager Adam Claes reported on items a. - c. for the Board:

a. Maintenance and Construction Update

- American Colony (Central and Cedar) – reclaiming right-of-way
- Reyburn Canal (Bullard and DeWolf) – pipeline repair
- Pilegard Canal (Sumner and Maple) – pipeline repair
- Angevine Canal (Dakota and Lassen) – pipeline repair
- Monroe Canal (Kearney and Monroe) – gate repair
- Anthony Canal (Barstow and Rolinda) – box structure repair

b. Southwest Groundwater Banking Project Update

Finished up with the transfer of water to James Irrigation District (JID). JID stated they would use the facility in August to move additional water.

Mr. Claes stated he gave a tour for USBR staff on the Southwest Groundwater Banking Facility and the Serrato Intertie Facility. USBR staff was impressed with both facilities.

c. Discussion / Possible Action on Central Basin Project – Engineering Action Request 2018-10

Mr. Claes stated this project has been fast-tracked to prepare for High-Speed Rail to excavate the basins later this year. This is a 90-acre recharge project funded by a joint FID-Fresno Metropolitan Flood Control District Proposition 1 Stormwater Grant from the State Water Resources Control Board. The Board adopted the CEQA documents in February 2018. The joint grant agreement between FID and FMFCD is under development. Escrow has closed on all four properties. Staff recommends the project be funded by the Water Purchase Fund and the line of credit used as a bridge.

M/S/C (Porter/Prieto) That the Board of Directors approved Engineering Action Request 2018-10 at a cost to FID at \$2,100,000 (after Stormwater Grant) with funds to come from the Water Purchase Fund as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

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d. Discussion / Possible Action on Wagner Basin Project – Engineering Action Request 2018-11

Mr. Claes announced the Wagner property has closed escrow. This is a 60-acre recharge basin located at Shaw and Westlawn avenues. The Board adopted the CEQA documents in December 2017. Staff recommends the cost of the project be funded by the Water Purchase Fund and the line of credit used as a bridge.

M/S/C (Prieto/Porter) That the Board of Directors approved Engineering Action Request 2018-11 at a cost of between \$3,600,000 to \$4,000,000 from the Water Purchase Fund as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. Sustainable Groundwater Management Act (SGMA) Update

i. North Kings GSA Update

Mr. Claes updated the Board on current SGMA activities. A current map of the seven GSAs making up the Kings Subbasin was displayed. Work continues on the development of the Groundwater Sustainability Plan. The subbasin is required to become sustainable by 2040. Grant funding was awarded to the Kings Sub Basin, each of the seven GSAs will receive \$214,000 in grant funds.

ii. Kings Subbasin GSA Update

The overdraft numbers and boundary flows for the seven GSAs continues to be negotiated amongst the seven GSAs. Mr. Sam Boland-Brien from the State Water Board will attend the August 17 Kings Subbasin meeting to clarify some of the questions the members have concerning the role of the State Board. Mr. Claes stated that the seven GSAs have set an internal goal to have their Plans ready by January 2019. Public outreach and meetings are being scheduled with each of the Disadvantage Communities in the North Kings GSA. The meetings are expected to be scheduled during the second half 2019 for each GSA.

Mr. Serrato stated all seven GSAs signed the “Dispute Resolution” MOU; a data management system is under consideration; and the development of a “water budget” for the North Kings GSA will begin soon.

iii. Miscellaneous – County/DWR/SWB

There was nothing new to report.

f. Friant Water Authority – Update

No general information to report.

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**i. Discussion / Possible Action on District Position on FWA
Subsidence Issues**

Mr. Serrato stated Director Porter requested this issue be placed on the agenda for discussion / possible action by the Board. FWA is experiencing a significant issue with subsidence on the Friant-Kern Canal around the Tulare County line. It is estimated that 60% of capacity of the Canal has been lost due to subsidence. The next FWA Board Agenda has an action item to accept a proposal to hire a consultant to begin the designing and reconstruction of the Canal. It is FID's position that this District should not be required to pay for any cost associated with this issue. Third-party impacts and not FID growers caused the subsidence issue on the Canal. Staff recommends that FID's Board of Directors vote not to support the Study and to direct its Friant representative to oppose this item. This item also appears to be opposed by the City of Fresno.

M/S/C (Porter/Beberian) That the Board of Directors approved Staff's recommendation to oppose paying a consultant to study and formulate remedies on the subsidence issues on the Friant-Kern Canal and that FID's Friant Board Representative vote no on this issue by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

**g. Trails Along FID Canals – Master Trails Agreement with the City of
Fresno Update**

Mr. Stretch stated FID Staff continues to meet with the City of Fresno on the remaining issues of the agreement. Another meeting has been set for early July.

MANAGER'S REPORT

KINGS RIVER WATER ASSOCIATION

a. Kings River Water Association Update

Mr. Serrato continues to work with Assembly Member Arambula on the legislation stating that groundwater be considered a beneficial use of water.

Mr. Serrato announced the State Water Resource Control Board fees are increasing four to five percent this year.

b. Friant Operations Update

No further update.

c. Miscellaneous Updates

Nothing to report.

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ADMINISTRATIVE MATTERS

a. Discussion / Possible Action on Adoption of 2018 Conflict of Interest Code

Mr. Boswell explained the changes/updates that Fresno County is requesting. Changes for the Code relate to the required annual Form 700.

M/S/C (Porter/Beberian) That the Board of Directors approved the 2018 Conflict Of Interest Code as presented by Staff by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

b. Discussion / Possible Action on Resolution 2018-06 COI Code

Resolution 2018-06 refers to the Conflict of Interest Code and is required by Fresno County to accompany the 2018 Code.

M/S/C (Prieto/Porter) That the Board of Directors approved Resolution 2018-06 presented by Staff by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

c. Discussion / Possible Action on Property Damage – Richardson

Ms. Singh reviewed the ditch break that occurred on the Central Canal No. 23 affecting seven acres of Mr. Richardson’s almond orchard. Mr. Richardson’s property is located in a low-lying area (Mark and Malaga avenues). Staff repaired the break and cleaned up Mr. Richardson’s property. Staff will bring this back to the Board if further action is required.

d. Discussion / Possible Action on Request for Multiple-night Stay for the Human Resources Director to Attend CALPELRA Annual Training Conference – Monterey, CA December 2018

Ms. Singh brought this before the Board in June to take advantage of the early sign-up registration savings. This conference contributes towards Ms. Singh’s continuing education credits.

M/S/C (Beberian/Porter) That the Board of Directors approved the multi-night stay request for the HR Director to attend the CALPELRA Annual Training in December 2018 by the following vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

e. Board of Directors Election Information Update

Mr. Serrato reminded the Board the District has three directors up for election in November 2018 (Divisions 1, 3, and 4). Candidate Nomination period is from July 16-August 10, 2018.

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f. Discussion / Possible Action on Resolution 2018-09: November Election for Division 1, 3, and 4

A resolution calling for elections is required by the County of Fresno.

M/S/C (Porter/Prieto) That the Board of Directors approved Resolution 2018-09 by the following roll call vote. (Ayes – Beberian, Woolf, Jacobsen, Porter, Prieto, Jr.; Nays – 0; Absent – 0; Abstain – 0)

DIRECTORS' REPORT

Director Beberian – none.

Director Woolf – tomato harvest will start next week.

Director Jacobsen – none.

Director Porter – none.

Director Prieto – none.

Open Session concluded at 5:47 p.m. with the Directors and some Staff going into Closed Session at 5:49 p.m.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9. Meet in closed session to confer with counsel on potential litigation arising out of claims by third parties to water rights on the Kings River. On advice of counsel, the staff has concluded that, based on existing facts and circumstances, there is significant exposure to litigation by or against the KRWA.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: William Stretch – FID, Gary Serrato – FID; and William H. Wagner and William H. Wagner as Trustee

Properties: APN 512-021-03 and 512-020-09

Terms and Conditions: Negotiations of Purchase of Real Property

Resolution 2017-14

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9. Meet in closed session to confer with counsel on potential litigation against third party: Hardeep Kalket and Amandeep Kalket - Engineering Action Request 2018-03 (CS-1)

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Government Code Section 54956.8 Real Property Transactions.

Negotiators: Laurence Kimura – FID; and Dirk Poelschel and Steve Sanders for Sanders Properties LLC

Properties: APN 430-020-73 and Portion of 430-020-68

Terms and Conditions: Negotiations of Sale/Exchange of Real Property Engineering Action Request 2018-09

Government Code Section 54957.6. Conference with Labor Negotiators Regarding Terms and Conditions of Employment Contract.

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9. Meet in closed session to confer with counsel on potential litigation arising out of claims by third parties regarding retirement benefits. On advice of counsel, the staff has concluded that, based on existing facts and circumstances, there is significant exposure to litigation by or against Fresno Irrigation District.

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9. Meet in closed session to confer with counsel on existing litigation arising out of claims by third parties – McKenzie.

Government Code Section 54957 – Public Employment: General Manager Position

CLOSED SESSION ADJOURNMENT

President Jacobsen adjourned Closed Session at 8:45 p.m.

REPORT IN OPEN SESSION OF ACTION TAKEN IN CLOSED SESSION

President Jacobsen stated the William Wagner property closed escrow on June 19, 2018, for a cost to the District of \$1,675,636.53, being a portion of APN 512-021-03 and APN 512-020-09 to be used for groundwater recharge and water regulation. Resolution 2017-14 passed on September 19, 2017.

ADJOURNMENT

With no further business, President Jacobsen adjourned the meeting at 8:46 p.m.

Submitted By,



Gary R. Serrato
Secretary of the Board